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PATENT CASE ECHO CENTER 1000/2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Shen-Chun Kuo et al.** : X  
For Patent For: **SYNTHESIS OF  
TEMOZOLOLIMIDE AND ANALOGS** :  
Group Art Unit: **To Be Assigned**  
Examiner: **To Be Assigned**  
Serial No.: **10/050,768** : Date: **June 13, 2002**  
Filed: **January 16, 2002** :

Schering-Plough Corporation  
Kenilworth, New Jersey 07033-0530

**Assistant Commissioner of Patents  
Washington, D.C. 20231**

## **INFORMATION DISCLOSURE STATEMENT**

In accordance with applicants' duty of disclosure under 37 C.F.R. 1.56, the following information is submitted, pursuant to 37 C.F.R. 1.97 and 1.98, and may be material to the examination of this application. This submission is not an admission that the documents cited herein are prior art to the presently claimed invention.

## **U.S. Patent Documents**

U.S. 5,260,291 A

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### Foreign Patent Documents

EP 0 252 682 A

GB 2 125 402 A

### **Other Documents**

Wang, *et al.*, "Alternative Syntheses of the antitumor drug temozolomide avoiding the use of methyl isocyanates", Journal of Chemical Society, Chemical Communication, Chemical Society, Letchworth, GB, p. 1687-1688 (1994)

Wang, *et al.*, "Antitumor imidazotetrazines. Part 33. new syntheses of the antitumor drug temozolamide using 'masked' methyl isocyanates", *J. Chem. Soc., Perkin Trans. 1*(21):2783-2787 (1995)

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-2-

PATENT CASE: CD01352

Wang, et al., "Synthetic studies of 8-carbamoylimidzo-[5, 1-D]-1, 2, 3, 5-tetrazi n-4(3H)- one: a key derivative of antitumor drug temozolomide", Bioorg. Med. Chem. Lett., 6(2):185-188 (1996)

Yongfeng Wang, "A new route to the antitumor drug temozolomide, but not thiotemozolomide", Chem. Commun., 4:363-364 (1997)

Wang, et al., "Antitumor Imidazotetrazines. 35. New Synthetic Routes to the Antitumor Drug Temozolomide", J. org. Chem. 62(21):7228-7294 (1997)

Newlands, E.S., et al., "Temozolomide: a review of its discovery, chemical properties, pre-clinical development and clinical trials", Cancer Treat. Rev., 23(1):35-61 (1997)

Wang, et al., "Antitumor Imidazotetrazines. Part 36. Conversion of 5-Amino-Imidazole-4-Carboxamide to .....Journal of the Chemical Society, Perkin Transactions 1, Chemical Society, Letchworth, GB, 10:1669-1675 (1998)

Copies of these documents and a PTO-1449 Form are enclosed. The Examiner is kindly requested to make these documents of record and initial and return the PTO-1449 Form to evidence consideration of these references.

These references were cited in the International Counterpart to the above-identified case in a PCT International Search Report dated May 24, 2002. A copy of the Search Report is enclosed.

No fees, other than the fees necessary for the payment of a continuation application, are believed to be due with this submission. If any fees are determined to be due by this paper, the Commissioner is hereby authorized to deduct such fees from Account No. 19-0365.

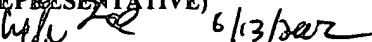
Respectfully submitted,



\_\_\_\_\_  
William Lee  
Reg. No. 46,100  
Attorney for Applicants  
(908) 298-2161

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FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE		ATTY. DOCKET NO.:	SERIAL NO.:
		INFORMATION DISCLOSURE STATEMENT BY APPLICANT		CD01352	10/050,768
		(Use several sheets if necessary)		APPLICANT:	SHEN-CHUN KUO et al.
				FILING DATE:	GROUP:
				January 16, 2002	

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
AA	5,260,291	11/09/93	Lunt et al.	514	183	
AB						
AC						
AD						
AE						RECEIVED
AF						
AG						
AH						SEP 16 2002
AI						
AJ						
AK						TECH CENTER 1600/2900
AL						
AM						
AN						
AO						

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES	NO
AP	02 252 682	07/01/87	EUROPE	C07D	487/04	X	
AQ	2 125 402	08/15/83	UNITED KINGDOM	C07D	487/04	X	
AR							
AS							
AT							
AU							
AV							
AW							
AX							
AY							
AZ							

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

BA	Wang, et al., "Alternative Syntheses of the antitumor drug temozolomide avoiding the use of methyl isocyanates", Journal of Chemical Society, Chemical Communication, Chemical Society, Letchworth, GB, p. 1687-1688 (1994)
BB	Wang, et al., "Antitumor imidazotetrazines. Part 33. new syntheses of the antitumor drug temozolomide using 'masked' methyl isocyanates", J. Chem. Soc., Perkin Trans. 1(21):2783-2787 (1995)
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BD	Yongfeng Wang, "A new route to the antitumor drug temozolomide, but not thiotemozolomide", Chem. Commun., 4:363-364 (1997)
BE	Wang, et al., "Antitumor Imidazotetrazines. 35. New Synthetic Routes to the Antitumor Drug Temozolomide", J. org. Chem. 62(21):7228-7294 (1997)
BF	Newlands, E.S., et al., "Temozolomide: a review of its discovery, chemical properties, pre-clinical development and clinical trials", Cancer Treat. Rev., 23(1):35-61 (1997)
BG	Wang, et al., "Antitumor Imidazotetrazines. Part 36. Conversion of 5-Amino-Imidazole-4-Carboxamide to .....Journal of the Chemical Society, Perkin Transactions 1, Chemical Society, Letchworth, GB, 10:1669-1675 (1998)
BH	

EXAMINER	DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

14

Application Number

10/050,768

Filing Date

January 16, 2002

First Named Inventor

Shen-Chun Kuo, et al.

Group Art Unit

Examiner Name

Attorney Docket Number

CD01352

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

William Y. Lee, Reg. No. 46,100

Signature

Date

June 13, 2002

### CERTIFICATE OF MAILING

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William Y. Lee

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June 13, 2002

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Applicant: Shen-Chun Kuo et al.  
Serial No.: 10/050,768 Atty: WYL:sa  
Filed: January 16, 2002 Case No: CDO1352  
For: SYNTHESIS OF TEMOZOLOMIDE AND ANALOGS

Enclosed:

- Application papers comprising:  
 Request for Filing Provisional Appln.  
 Request for Filing Patent Appln.  
\_\_\_\_\_ pages of Specification  
\_\_\_\_\_ pages of Claims  
\_\_\_\_\_ pages of Abstract  
\_\_\_\_\_ sheets of Drawing (formal/informal)  
 Declaration/Power of Attorney  
 Transmittal letter (PTO/SB/21; 1 Page)  
 Amendment  
 Notice of Appeal  
 Appeal Brief (in triplicate)  
 Petition for Extension of Time  
 Preliminary Amendment  
 Information Disclosure Statement (2 Pages)  
 Form PTO 1449 (1Page) in duplicate  
 References 10 (ten)  
 Response  
 Issue Fee Transmittal/parts B & C  
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in the amount of \$ \_\_\_\_\_  
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 Copy of International Search Report (9 pgs.)
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